

Claim 1 has been as amended herein to recite “whereby said archive storage medium unit and each of said plurality of delivery storage medium units are similarly constructed.” Accordingly, withdrawal of the double patenting rejection to claim 1 and claims 2 and 3, which are dependent therefrom, is respectfully requested. It is unclear whether the Examiner intended to include claim 27 in the above double patenting rejection. As such, no comments are provided herein with regard to claim 27.

Claims 1 and 19 are rejected under 35 U.S.C. §103(a) as being unpatentable over Kochanski (5,512,934) in view of Gelman et al. (5,341,474).

Independent claim 1, as amended herein, is a system for serving information data which includes “a plurality of storage medium units for storing information data, wherein said plurality of storage medium units include an archive storage medium unit ... and a plurality of delivery storage medium units ... whereby said archive storage medium unit and each of said plurality of delivery storage medium units are similarly constructed.” (Underlining and bold added for emphasis.)

In explaining the above 103 rejection, the Examiner states that Kochanski “fails to disclose the claimed wherein a plurality of storage medium units are comprised of an archive storage medium unit which contains information data and a plurality of delivery storage medium units that stores information data from archive storage medium unit as needed.” In order to overcome such deficiency, the Examiner apparently relies on col. 5, lines 1-13 of Gelman. It is respectfully submitted that such portion of Gelman as applied by the Examiner (hereinafter, merely “Gelman”) does not disclose “said archive storage medium unit and each of said plurality of delivery storage medium units are similarly constructed.” Rather, Gelman appears to merely disclose a storage warehouse as an archival storage and an on-line storage for temporarily storing

data for ready access. Gelman does not appear to disclose the storage warehouse and the on-line storage being similarly constructed. Accordingly, claim 1 is believed to be distinguishable from the applied combination of Kochanski and Gelman.

For reasons similar to those described above with regard to claim 1, independent claim 19, as amended herein is also believed to be distinguishable from the applied combination of Kochanski and Gelman.

Claims 1-16 and 21-26 are rejected under 35 U.S.C. §103(a) as being unpatentable over Voeten in view of Gelman (5,341,474).

In explaining the above rejection, the Examiner appears to admit that Voeten does not disclose “the claimed wherein a plurality of storage medium units are comprised of an archive storage medium unit which contains information data and a plurality of delivery storage medium units that stores information data from archive storage medium unit as needed.” To overcome such deficiency, the Examiner appears to rely upon Gelman. As previously mentioned, Gelman does not appear to disclose “said archive storage medium unit and each of said plurality of delivery storage medium units are similarly constructed.” Accordingly, claim 1 is believed to be distinguishable from the applied combination of Voeten and Gelman.

Claims 2-16 and 21-26 are dependent from claim 1, and, due to such dependency, are also believed to be distinguishable from the applied combination of Voeten and Gelman for at least the reasons previously described.

Claim 20 is rejected under 35 U.S.C. §103(a) as being unpatentable over Voeten in view of Gelman (5,341,474) and Florin et al. (5,621,456).

For reasons similar to those previously described with regard to claim 1, amended claim 20 is believed to be distinguishable from the applied combination of Voeten and Gelman.

The Examiner apparently did not rely on Florin to overcome the above-described deficiency of Voeten and Gelman. Therefore, claim 20 is believed to be distinguishable from the applied combination of Voeten, Gelman and Florin for at least the reasons previously mentioned.

Claim 27-29 are rejected under 35 U.S.C. §103(a) as being unpatentable over Voeten in view of Gelman (5,341,474) and Coverston et al. (5,504,883).

For reasons similar to those previously described with regard to claim 1, claim 27 is believed to be distinguishable from the applied combination of Voeten and Gelman. The Examiner apparently did not rely on Coverston to overcome the above-described deficiency of Voeten. Therefore, claim 27 is believed to be distinguishable from the applied combination of Voeten, Gelman, and Coverston. Claims 28 and 29 are dependent on claim 27, and due to such dependency, are also believed to be distinguishable from applied combination of Voeten, Gelman, and Coverston for at least the reasons previously described.

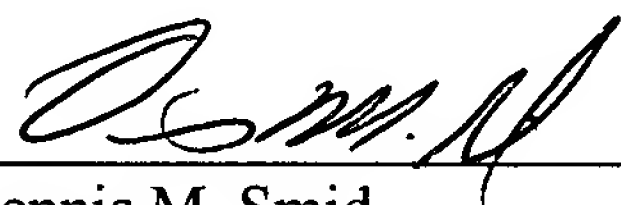
Applicants appreciate the Examiner's statement that claim 17 is allowed.

Attached hereto is a marked-up version of the changes made to the claims by the current amendment. The attached page is captioned **"Version with markings to show changes made."**

It is to be appreciated that the foregoing comments concerning the disclosures in the cited prior art represent the present opinions of the Applicants' undersigned attorney and, in the event, that the Examiner disagrees with any such opinions, it is requested that the Examiner indicate where, in the reference or references, there is the basis for a contrary view.

In view of the foregoing amendments and remarks, it is believed that all of the claims in this application are patentable over the prior art, and early and favorable consideration thereof is solicited.

Respectfully submitted,
FROMMER LAWRENCE & HAUG LLP

By: 
Dennis M. Smid
Reg. No. 34,930
(212) 588-0800

Version with markings to show changes made

IN THE CLAIMS

Please amend claims 1, 19, 20, and 27 by rewriting the same as follows:

- 1. (Six Times Amended) A system for serving information data over one or more channels to one or more end user devices, comprising:
- a plurality of storage medium units for storing information data, wherein said plurality of storage medium units [are comprised of] include an archive storage medium unit which contains said information data and a plurality of delivery storage medium units that stores said information data from said archive storage medium unit as needed;
- managing means for managing distribution of the information data to any one of the end user devices, wherein the managing means receives demand data relating to information data selected through at least one respective end user device, and wherein the managing means outputs distribution control data including channel information of the selected information data and routing information for said at least one end user device; and
- routing means for connecting the one or more delivery storage medium units to the at least one end user device, and for routing the selected information data from the delivery storage medium units and the distribution control data from the managing means, wherein
- the managing means manages the distribution of the information data from one or more of said delivery storage medium units to an appropriate one or more of the end user device(s) in accordance with a predetermined number representing a number of said one or more end user devices such that the number of delivery storage medium units utilized is increased when the number of end user device(s) exceeds the predetermined number,

whereby said archive storage medium unit and each of said plurality of delivery storage medium units are similarly constructed.

19. (Four Times Amended) A system for serving information data over one or more channels to one or more end user devices, comprising:

a plurality of storage medium units for storing information data, wherein said plurality of storage medium units [are comprised of] include an archive storage medium unit which contains said information data and a plurality of delivery storage medium units that stores said information data from said archive storage medium unit as needed;

managing means for managing distribution of the information data to any one of the end user devices, wherein the managing means receives demand data relating to information data selected through at least one respective end user device, and wherein the managing means outputs distribution control data including channel information of the selected information data and routing information for said at least one end user device; and

routing means for connecting the one or more delivery storage medium units to the at least one end user device, and for routing the selected information data from the delivery storage medium units and the distribution control data from the managing means,

wherein said managing means selects a special play mode for supplying an altered sequence of scenes to the at least one end user device by switching channels for supplying the data information to the at least one end user device,

whereby said archive storage medium unit and each of said plurality of delivery storage medium units are similarly constructed.

20. (Four Times Amended) A system for serving information data over one or more channels to one or more end user devices, comprising:

a plurality of storage medium units for storing information data, wherein said plurality of storage medium units [are comprised of] include an archive storage medium unit which contains said information data and a plurality of delivery storage medium units that stores said information data from said archive storage medium unit as needed;

managing means for managing distribution of the information data to any one of the end user devices, wherein the managing means receives demand data relating to information data selected through at least one respective end user device, and wherein the managing means outputs distribution control data including channel information of the selected information data and routing information for said at least one end user device; and

routing means for connecting the one or more delivery storage medium units to the at least one end user device, and for routing the selected information data from the delivery storage medium units and the distribution control data from the managing means,

wherein said managing means selects a special play mode for supplying a mosaic of scenes to the at least one end user device by selecting scenes from different channels,

whereby said archive storage medium unit and each of said plurality of delivery storage medium units are similarly constructed.

27. (Five Times Amended) A system for serving information data over one or more channels to one or more end user devices, comprising:

a plurality of storage medium units for storing information data, wherein said plurality of storage medium units [are comprised of] include an archive storage medium unit which contains said information data and a plurality of delivery storage medium units that stores said information data from said archive storage medium unit as needed;

managing means for managing distribution of the information data to any one of the end user devices, wherein the managing means receives demand data relating to information data selected through at least one respective end user device, and wherein the managing means outputs distribution control data including channel information of the selected information data and routing information for said at least one end user device; and

routing means for connecting the one or more delivery storage medium units to the at least one end user device, and for routing the selected information data from the one or more storage medium units and the distribution control data from the managing means, wherein

said distribution control data further includes backup control data for assigning one of said one or more delivery storage medium units to supply the selected information data when another of said one or more delivery storage medium units for supplying the selected information data is malfunctioning,

whereby said archive storage medium unit and each of said plurality of delivery storage medium units are similarly constructed.--